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13 *Toshiba America, Inc., Toshiba America*

14 *Information Systems, Inc., Toshiba America*

15 *Consumer Products, L.L.C., Toshiba*

16 *America, Inc., and Toshiba America*

17 *Electronic Components, Inc.*

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 (SAN FRANCISCO DIVISION)

21 IN RE: CATHODE RAY TUBE (CRT)
22 ANTITRUST LITIGATION

Case No. 07-5944 SC
MDL No. 1917

23 This Document Relates to:

24 ALL DIRECT PURCHASER ACTIONS

**[PROPOSED] ORDER GRANTING
DIRECT PURCHASER PLAINTIFFS'
ADMINISTRATIVE MOTION TO
SEAL DOCUMENTS PURSUANT TO
CIVIL LOCAL RULES 7-11 AND 79-
5(d)**

25 [PROPOSED] ORDER GRANTING DIRECT PURCHASER
26 PLAINTIFFS' ADMINISTRATIVE MOTION TO SEAL DOCUMENTS

27 Case No. 07-5944 SC

28 MDL No. 1917

1 The Direct Purchaser Plaintiffs filed an Administrative Motion to Seal Documents
 2 Pursuant to Civil Local Rules 7-11 and 79-5(d) (Dkt. No. 1057) (“Motion to Seal”)
 3 related to the Direct Purchaser Plaintiffs’ Memorandum of Points and Authorities in
 4 Opposition to Defendants’ Motion for Partial Summary Judgment (“DPPs’ Opposition”),
 5 the Declaration of R. Alexander Saveri in Opposition to Defendants’ Motion for Partial
 6 Summary Judgment (“Saveri Declaration”), and the exhibits attached to the Saveri
 7 Declaration, all of which were lodged conditionally under seal on February 24, 2012,
 8 pursuant to Plaintiffs’ Motion to Seal. Defendants Toshiba Corporation, Toshiba
 9 America, Inc., Toshiba America Information Systems, Inc., Toshiba America Consumer
 10 Products, L.L.C., and Toshiba America Electronic Components, Inc. (collectively, the
 11 “Toshiba Entities”) filed the Declaration of Lucius B. Lau (“Lau Declaration”) in support
 12 of Plaintiffs’ Motion to Seal, requesting a narrowly tailored order to maintain certain
 13 documents under seal.

14 The first document at issue is Exhibit 26 to the Saveri Declaration. Exhibit 26 is
 15 Toshiba Corporation’s Supplemental Objections and Responses to Interrogatories Nos.
 16 Four and Five of Direct Purchaser Plaintiffs’ First Set of Interrogatories, designated by
 17 the Toshiba Entities as “Confidential” pursuant to the Protective Order.

18 The second document at issue is Exhibit 28 to the Saveri Declaration. Exhibit 28 is
 19 Toshiba America Electronic Components, Inc.’s Supplemental Objections and Responses
 20 to Interrogatory Nos. Four and Five of Direct Purchaser Plaintiffs’ First Set of
 21 Interrogatories, designated by the Toshiba Entities as “Confidential” pursuant to the
 22 Protective Order.

23 After due consideration of the papers submitted and the arguments of counsel, the
 24 Court finds that the above materials described in the Lau Declaration contain proprietary
 25 and sensitive business information, and a substantial probability exists that the Toshiba
 26 Entities would be competitively harmed if the materials were publicly disclosed. The
 27 Court also finds that the Toshiba Entities have narrowly tailored this sealing request to
 28 only the exhibits thereto necessary to protect their proprietary and sensitive business

1 information. The Court thus finds compelling reasons to maintain under seal the
2 materials described in the Lau Declaration.

3 **IT IS THEREFORE ORDERED** that the Saveri Declaration Exhibits 26 and 28
4 shall be maintained permanently under seal in their entirety.

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6 **IT IS SO ORDERED.**

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8 Dated: _____

9 HONORABLE SAMUEL CONTI
10 UNITED STATES DISTRICT JUDGE
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